

APPROVED: MEETING NO. 53-85

ATTEST:

Helen M. Heneghan

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 50-85

November 12, 1985

The Mayor and Council of Rockville, Maryland, convened in executive session in the City Manager's Conference Room, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Tuesday, November 12, 1985, at 7:15 p.m. in for consultation with legal counsel.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman James F. Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: Acting City Manager Daniel G. Hobbs; City Attorney Paul Glasgow; City Clerk Helen Heneghan.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 7:55 p.m.

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Tuesday, November 12, 1985, at 8:00 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman James F. Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: Acting City Manager Daniel G. Hobbs; City Attorney Paul Glasgow; City Clerk Helen Heneghan.

Re: City Manager's Report

Mr. Hobbs reported the following:

1. The County Executive today announced three actions the County is taking against Tribune United Cable to force compliance with the cable tv franchise. Cable service to Rockville residents and the operation of Rockville's municipal channel should not be affected by these actions.

2. The president of Rockville Little Theatre has invited the Mayor and Council to attend the play on November 15 at 8:00 p.m. at the F. Scott Fitzgerald Theatre. The delegates and senators of the General Assembly have been invited and following the play a walk-through of the facility will be given in order to show them what the \$1.5 million in funds the City is requesting will be used for in terms of renovation and expansion.

The Council asked the Acting City Manager to get more information for the City on the enforceability of the franchise agreement. It is the Mayor and Council's wish to support the County Executive and the County Council in any way they can. Mr. Hobbs was asked to have a briefing for the Council at the next meeting when there is more information available.

Re: Proclamation: Youth
Appreciation Week

Proclamation No. 17-85

There being no objection from the Council, Mayor Van Grack proceeded to issue Proclamation No. 17-85, proclaiming the week of November 10-16, 1985, as Youth Appreciation Week in Rockville. Councilman Coyle read the proclamation at the request of the Mayor in which it was urged that citizens express their faith in the ability of today's youth. Mr. Ralph Dodson of the Rockville Optimist Club,

presented plaques to high school students Susan Scafidi of Rockville, John Sullivan of Wootton and Susan Lantzy of Richard Montgomery High School.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Dickran Hovsepian, 2 Tweed Court. Mr. Hovsepian, reading from a prepared statement, protested many of the campaign practices of the past election and presented a proposal for a task force that would study these practices and come forward with recommendations for changes to the City's election laws. The Mayor and Council discussed Mr. Hovsepian's suggestions and commented on their own experiences and suggested changes. Councilman Duncan noted that he has proposed the formation of an election task force and will suggest it this evening under new business.

2. John Saveland. Mr. Saveland addressed the Council and said he had signed a letter in the past election campaign that was targeted for limited distribution but was distributed more broadly and misinterpreted. The Council discussed Mr. Saveland's letter and felt that the partisanship being introduced can send the wrong message and they raised issues on the propriety of the content.

3. Kenneth Sullivan, 1988 Lancashire Drive. Mr. Sullivan thanked the Mayor and Council for proclaiming student appreciation week since his son is the number one student at Wootton and was one of the recipients of the awards. He said he is familiar with the campaign problems since he was a former member of the council and candidate for Mayor and it takes a good deal to run and serve the people. He suggested the Mayor and Council put errors aside as reasonable people and go forward on a positive note.

4. Richard Resnick, North Farm Citizens Association. Mr. Resnick congratulated the Mayor and Council on its election. The North Farm Association

looks forward to working with them. He urged the Mayor and Council to testify and express the City policy of no boundary change for Ritchie Park or Farmland Elementary School and send that message to the Education Commission.

Concerning the November 18 hearing on the text amendment for Fortune Parc, Mr. Resnick asked that that hearing be postponed and the issues be sent back to the Planning Commission for study. He said his civic association has been occupied with the election and school issues and has had no opportunity to study the matter. Councilman Duncan said he could agree to the postponement. Councilman Abrams asked that no action be taken until new business.

5. Charlotte Joseph. Mrs. Joseph addressed the Council and briefed them on the history of the school articulation from the Montrose area. She said children in that area have been changed several times and this time she opposes pulling Farmland Elementary School from the Tilden Cluster. She also asked that there be representation on the education commission from her area.

6. Frances Thompson, 727 Monroe Street, Apt. 301. Ms. Thompson expressed her dismay at the painting of swastikas on Farmland School and this causes fear to be everywhere. There are times when political campaigns can appeal to peoples baser instincts. She said this Mayor and Council must go a long way to prove that bigotry was not brought into the campaign and something forceful should be done.

7. Terry Sullivan, 1988 Lancashire Drive. Mrs. Sullivan told the Mayor and Council that she has lived in this City since 1973 and has been involved in politics and has found that every campaign has undesirable literature in the last week. It is her hope that there will be a commission to look into the election practices; however, each candidate should take responsibility for his/her own actions and those of his/her workers.

Mrs. Sullivan said she is the parent of two children who attended Ritchie Park, Frost and Wootton. She would not like to see any changes and suggested the Mayor and Council follow the Superintendent's recommendation.

8. Peg Gearin, ARC campaign manager. Mrs. Gearing reiterated her experiences on November 6 and expressed her dissatisfaction with the procedure followed by the Board of Elections to validate the election. She said there should be written rules of procedures for the validation and this would streamline the procedure so that others would not have the same problem that she encountered in attempting to get the information that should have been provided. She also expressed her displeasure at not having the names and addresses of those election day registered voters available.

Councilman Abrams asked Mrs. Gearin if she could provide him a copy of Montgomery County's validation procedures.

9. Betsy Johnson, 1523 Columbia Avenue. Ms. Johnson expressed her sympathy for the residents of Ritchie Parkway and Farmland Elementary schools for wanting their school situation to remain stable. She said concern is shared by all sections of the City. If the Mayor and Council continue to say no boundary changes, it will be a disservice to the Richard Montgomery Cluster. There is no reason the School Board should cause one community to be at odds with another. It would be best for the Council to do nothing.

10. Raj K. Gupta, 312 New Mark Esplanade. Mr. Gupta expressed his concern over what would happen to Richard Montgomery and Beall Elementary School. Also, what monies are being spent that will not help Richard Montgomery. He suggested it would benefit the School Board more to use existing facilities rather than build new ones.

11. George Dredden, Parrish Drive. Officer Dredden offered his congratulations to the Mayor and Council. He said he is the president of the

Fraternal Order of Police and hopes that the police and Mayor and Council can work together to further the goals of City.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Review of City
testimony on the
Superintendent's
recommendation for
Area 2 schools

The Mayor and Council reviewed the testimony proposed by the Mayor and using the letter previously written to the Superintendent on September 17, drafted the testimony that will be given at the Board of Education public hearing on November 13. Additional testimony will be prepared for the November 23 hearing.

Re: Information Items

The Mayor and Council noted the following items of information:

1. Information on Youth Outreach Workers
2. Cable T.V. Monthly report
3. Response to citizen complaint
4. Memo from K. Chaisson on Cable TV

Councilman Duncan drew attention to Mr. Chaisson's request and the Council agreed that he should continue in his present capacity and elaborate more to the Council when he comes Monday night, November 18.

5. MCPS letter re North Farm school assignment
6. Senior Center Newsletter
7. Memo on Town Center Zoning Classification & Development Bonus System

Re: New Business

1. Councilman Hartogensis proposed that the staff prepare a text amendment to expand the Planning Commission to seven members. He noted the work load is enormous. He said an expanded commission would allow the use of the subcommittee system and it would also allow better representation geographically

and it would assist in handling the quorum question when others are traveling. The Mayor and Council agreed to this.

2. Councilman Duncan said he would like to see more people brought into Council meetings to receive proclamations and recognition such as was done this evening. The Mayor and Council agreed the Clerk should do this. Councilman Hartogensis also suggested the Newsletter be used to publicize the accomplishment of student's teams and citizens.

3. Councilman Duncan proposed an election reform task force. He said he would like to work with the City Clerk on timeframe issues, etc. Councilman Abrams suggested it address public financing of elections, voting by non-citizens, the books staying open until just before election day and a handbook. Also, the task force should have the authority to convene fact-finding sessions. The Mayor asked Councilman Duncan to chair the task force and return to the Mayor and Council with the issues, the make up of the commission and the time frame, etc. Councilman Duncan said because he has been a candidate and will be one, the propriety dictates that he should just be a member, however he will be returning to the Council with recommendations.

Councilman Duncan presented for Council consideration a response to a partisan campaign letter used in the last campaign. Councilman Hartogensis also had prepared a response. The Council agreed the Hartogensis letter would be sent out with some changes and signed by the entire Mayor and Council.

5. Councilman Duncan moved that the Mayor and Council postpone the public hearing scheduled for November 18 until January because of the citizen's request. The motion passed unanimously. Councilman Abrams asked Mr. Davis to explain the procedure followed in a text amendment application. Mr. Davis explained the standard procedure. This particular text amendment began the process last April. Councilman Abrams asked Mr. Davis to provide the Mayor and

Council with copies of the Planning Commission agendas on when this application was listed.

6. The Mayor and Council approved a letter of testimony for the public hearing to be held by Metro on the changes in bus routes, particularly the T-6 route.

7. Councilman Coyle noted that the Human Rights Commission had written a letter to the Council requesting permission to hold hearings on police/community relations, which is an outgrowth of an incident in Lincoln Park. He said he would like to discuss this with Chairman Welter in the context of looking at issues from the study point of view. The Mayor and Council agreed a more positive approach would be best.

8. Councilman Abrams asked the staff to reexamine residential uses in all the zones. He said he had made this request some time ago and he would like an update.

9. Councilman Abrams asked if the staff would look into a bonus system for development of high rise residential property. This would be in the interest of older citizens where they could possibly trade their development rights to acquire a residence. Also, what bonus could be given for those who bring in families with school aged children.

10. Councilman Abrams asked the City Attorney to prepare legislation altering the Education Commission so that there could be both a school representation and a neighborhood representation.

11. Councilman Abrams asked the staff to look into the possibility of a census being done of the Rockville community instead of relying at all times on the federal numbers.

12. Councilman Abrams said he would like to look into the possibility of the City establishing a position of educational entrepreneur who could look at public/private funding for special programs to be held at Richard Montgomery.

Councilman Coyle suggested this might be done with a person being loaned from the private sector.

13. Councilman Abrams asked the staff prepare a review of the Ethics Ordinance, particularly those sections on financial disclosure and representation of board and commission members before the courts and other entities.

14. Councilman Coyle said he is concerned over the East Rockville neighborhood and where the community is going. It is critical the City speak with community leaders. The Council agreed. The Mayor suggested a contact be made and scheduled after the first of the year.

Re: Adjournment

There being no further business to come before the Mayor and Council in general session, the meeting was adjourned at 11:00 p.m. to convene again in executive session on Monday, November 18, at 6:45 p.m. or at the call of the Mayor.